



February 16, 2018

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Communication; MB Docket No. 18-23; RM-11727; RM-11787

Dear Ms. Dortch,

On February 14, 2018, Rick Kaplan, Patrick McFadden and the undersigned of the National Association of Broadcasters (NAB) met with Evan Swarztrauber, Policy Advisor to Commissioner Brendan Carr, to discuss certain radio issues currently before the Commission.

Specifically, NAB encouraged the Commission to resolve other, more pressing, issues before even considering addressing the proposal on circulation among the Commissioners that would create a new “Class C4” of FM stations in between the Class A and Class C3 services.¹ NAB filed a Petition for Rulemaking last April that proposes policy and procedural changes intended to increase the certainty of translators and facilitate the handling of interference complaints among translators and FM stations.² Among other recommendations, the petition seeks a rule change to provide translators more flexibility to change frequency to any available channel on the FM dial to avoid interference. This recommendation received overwhelming support in the record because it will provide an efficient, cost-effective way for translators to cure interference, and help resolve a substantial number of interference complaints.³

Translators are an increasingly important tool for broadcasters. FM stations use translators to provide critical fill-in service, and to carry HD Radio multicast channels, many of which provide highly-valued niche programming. In addition, pursuant to the

¹ FCC Items on Circulation, <https://www.fcc.gov/items-on-circulation>.

² Petition for Rulemaking, National Association of Broadcasters, RM-11787 (Apr. 20, 2017).

³ Reply Comments of the National Association of Broadcasters, RM-11787 (filed June 14, 2017), at 3.

Commission's AM Radio Revitalization proceeding, thousands of AM broadcasters are now able to use translators to provide enhanced, expanded service, including new local programming. Indeed, we understand that, when all the currently pending applications for cross-service translators are finally processed, approximately half of all AM radio stations will utilize translators to provide improved service to listeners.

Accordingly, we urged the Commission to promptly advance NAB's petition to a Notice of Proposed Rulemaking, to help ensure the certainty of translators. Taking such action will benefit the millions of listeners who now rely on the valuable content provided by translators, and should certainly take priority over consideration of the Class C4 proposal, which likely will only add to the interference challenges in the marketplace.

NAB appreciates the opportunity to share our views on this matter. Please direct any inquiries to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. a. Walke".

Larry Walke
Associate General Counsel
Legal and Regulatory Affairs
National Association of Broadcasters

cc: Evan Swarztrauber